

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JAMES ROBERTS,

Plaintiff,

vs.

KEVIN KINK, et al.,

Defendants.

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Case No. 3:18-cv-02112-SMY

ORDER

YANDLE, District Judge:

Defendants filed a Suggestion of Death on January 28, 2021 notifying the Court and parties that Plaintiff James Roberts is deceased. (Doc. 126). Accordingly, pursuant to Federal Rule of Civil Procedure 25(a), the Court ordered that a successor or representative of Plaintiff's estate file a motion for substitution of parties within 90 days of January 29, 2021, and advised that the failure to do so would result in dismissal of this action with prejudice. (Doc. 127). A copy of the Court's Order was forwarded to "Next of Kin of James Roberts" at Plaintiff's last address on file. No motion for substitution was filed within the allotted time, and no extension has been requested.

Accordingly, this case is **DISMISSED with prejudice** pursuant to Federal Rules of Civil Procedure 25(a) and 41(b). The Clerk of Court is **DIRECTED** to close this case and enter judgment accordingly.

IT IS SO ORDERED.

DATED: May 17, 2021

s/ Staci M. Yandle
STACI M. YANDLE
United States District Judge